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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
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Agenda item 7

ADOPTION OF THE REPORT

2. Initial, second and third periodic report

Honduras

1. The Committee considered the initial, second and third periodic report of Honduras (CEDAW/C/Add.44, CEDAW/C/13/Add.9 and Amend.1 and CEDAW/C.HON/3) at its 193rd and 196th meetings, on 22 and 24 January (see CEDAW/C/SR.193 and 196).

2. In introducing the report, the representative of Honduras stated that recently many reforms had been carried out. As they were not yet reflected in the third periodic report, she was concentrating in her presentation on the developments that had taken place since the date of that report. She said that 60 per cent of her country lived in rural areas and that since 1977, the country had been suffering under accelerating socio-economic difficulties. Many women from rural areas were currently working for very low wages in the urban informal sector. Most rural women carried out unpaid domestic activities. Lack of firewood caused by deforestation and shortage in water supplies because of erosion and other factors had a direct impact on the status of women although the Government was making great efforts through the social compensation system to integrate more women in remunerative activities or to make them take advantage of educational and training programmes.

3. The representative stated further that her country had been the hardest hit by the HIV/AIDS pandemic in Central America. The highest percentage of HIV/AIDS cases were to be found among women and men in the age bracket of 16 to 35 years, which is the reproductive age. The Government was trying to educate public health officials through seminars and workshops. It was

carrying out general educational campaigns and provided training to women teachers regarding sex education and sexually transmitted diseases. The national AIDS control programme directed many medical and psychological support programmes specifically for women. In addition, there were national programmes regarding sex education and basic health needs specifically for rural women, including information on sexually transmitted diseases.

4. According to the representative, rural training activities were carried out with a view to integrating rural women into the productive process, and she mentioned that for the acquisition of land there was no distinction between women and men, whether single or married; the only requirement was Honduran citizenship. A Social Development Office (GADES), created in 1986, coordinated legislation relating to land ownership for women in rural and urban areas. Legal reforms, such as amendments to the Labour Code, the Penal Code and the Social Security Laws, were contemplated or in the process of being carried out, and efforts were being made to create consumer cooperatives to provide basic goods at compatible prices. The representative also mentioned a support programme within the social compensation programme for women in the informal sector and for marginalized women in rural and urban areas. Rural women were also beginning to get involved in environmental protection. Reforms of school textbooks were being carried out with the assistance of international agencies in order to eliminate stereotyping.

5. In general comments, members of the Committee expressed their thanks and gratitude to the representative of Honduras for being present and for introducing the report in such a sincere and informative way and for the additional information provided. They congratulated the Government on having presented a much improved third periodic report and expressed appreciation for the efforts undertaken by the Government despite the prevailing difficult political and economic situation and for the positive developments that had been taking place since the ratification of the Convention. It was evident that the Convention had a visible impact on the Government's policy to enhance the status of women and had led to the amendment of a number of laws in their favour. The experts also appreciated the measures undertaken by the Government to improve the lives of rural women, who had been involved in conducting agrarian reforms and were currently heading rural projects. However, members asked about the existence of a national machinery or similar body to promote the advancement of women, the dissemination of the Convention and its implementation. They were quite concerned at the magnitude of the problem of HIV/AIDS. They also felt that the Penal Code needed to be amended, in particular with regard to the provisions concerning the sentence for murder in connection with adultery. Another point raised by the Committee referred to the distribution of foreign aid that was often done by men's committees, and, consequently, did not cater to the needs of women. The question was asked whether and how women would be able to take part in the distribution of foreign aid funds.

6. Regarding article 2, members asked whether the assertion in the report that in connection with rape "the physical and organic damage and the moral trauma engendered in a 'male' victim may be more serious than in a woman" was

the result of a study or a prejudicial concept. They also inquired whether there were plans to reform the Penal Code with regard to the sanctions for the murder of a spouse for adultery, which amounted to only four to six years. The government representative was asked to provide the text of the law that gave women a preferential right over the salary, wages or income of their husbands.

7. On article 3, members observed that a change in legislation was not sufficient for combating discrimination against women. It was important to implement the related laws by concrete measures. Although the third periodic report made reference to a set of measures, there did not seem to be a plan of action behind them or a national machinery to carry them out. They also pointed out that the discrepancies in wages for men and women persisted and asked which programmes had been undertaken to eliminate that inequality.

8. Under article 4, members asked why so far no temporary special measures had been undertaken to ensure de facto equality between women and men. Further clarification was sought regarding maternity benefits, and the question was asked why maternity benefits were mentioned under article 4 of the Convention although that constituted a basic right.

9. On article 5, more information was requested on legislation to protect women against violence of various forms or other violations of human rights. Members asked whether support services, information and training programmes to face violence existed and requested statistics on the frequency of various forms of violence. Other questions asked were whether there were attempts to coordinate activities with women's groups and non-governmental organizations, what was being done to protect migrant women and whether there were special programmes for refugee women. More information was sought on legislation with regard to punishment of sexual harassment and its application.

10. Under article 6, more information was requested on the prostitution of minors, on the effectiveness of any related measures and the number of cases taken to court. Questions asked were how many and what kind of women engaged in prostitution and whether any plans existed to establish contact with non-governmental organizations to protect women from violence and abuse. It was noted that the report made no reference to AIDS programmes directed at prostitutes. Some members wanted to know whether female prostitutes received the same protection by law against violence and rape as other women.

11. On article 7, questions asked were what the citizenship status of Hondurans under the age of 18 was and whether the interdiction for active servicemen in the armed forces to exercise their right to vote did not constitute a discrimination of a certain section of the population.

12. Under article 9, information on the nationality rights of children was requested.

13. Regarding article 10, statistics were requested on the number of girls attending middle schooling and universities.

14. On article 11, clarification was sought about the long duration of maternity leave and its compulsory character, and the question was asked regarding whether the provisions contained in the Labour Code implied that women were considered intellectually and morally the weaker sex. Information was requested on any laws that guaranteed equality of women and men at the workplace, equality with regard to job assignment, salaries and career prospects. Members inquired about the number of women who attended professional training courses, about any actions undertaken by labour unions for guaranteeing equal employment opportunities for women and about the percentage of women in the labour force broken down by sector. A question was asked concerning the degree to which women participated in the production process and in which way they were protected against dismissal on the grounds of pregnancy. Questions were asked as to whether article 124 of the Labour Code referring to the prohibition of the termination of a pregnant woman's work contract did not, in practice, work against women, especially if women did not have the resources to resort to the courts.

15. On article 12, questions were raised about obstetric conditions of women, maternal and child health, family planning and contraception, about the results of any related health programmes, about statistics on clandestine abortions and on the number of deaths as a result of unlawful clandestine abortions. Another question asked was whether women were free to practise family planning and whether women were still reluctant to refer to health counselling.

16. Regarding article 14, clarification was requested on the thrust of the Government's programme for rural women. The question was asked whether they were treated as equal to men or simply as helpmates. Members inquired about the state of health of, and the health protection for rural women and about education in family planning. They asked whether there were programmes to encourage the establishment of agricultural cooperatives, which would be a way for women to become economically independent.

17. On article 15, the question was asked as to whether the new Family Code abolished the husband's right to decide on the conjugal residence or whether it did away with the husband being head of household. Experts also inquired whether there was a campaign in Honduras for the repeal of the provision regarding homicide in case of adultery.

18. On article 16, clarification was requested on the order of legitimate guardianship of minors, on the administration of the family patrimony within marriage and for the reasons for a higher marriageable age for boys than for girls. Members asked whether the legal provisions governing marital unions applied also to de facto unions and whether it was not counter-productive to imprison men for non-payment of alimony since that might further reduce the support to the family.